

REGULATIONS FOR CONTINUING PROFESSIONAL DEVELOPMENT

Extract from California Code of Regulations Article 2. Applications

subsection (d) of Section 1399.151.1

(d) Continuing Professional Development Provider Approvals.

(1) The board shall inform in writing an applicant for approval as a continuing professional development provider within 30 days whether the application is complete and accepted for filing or is deficient and what specific information is required.

(2) The board shall inform in writing an applicant for approval as a continuing professional development provider within 30 days completion of the application, of its decision whether the applicant meets the requirements for approval. "Completion of the application" means that a completed application form together with all required information, documentation and fees have been filed by the applicant.

Extract from California Code of Regulations Article 8. Miscellaneous

subsection (d) of Section 1399.157.

(d) The application and the biennial renewal fee for a continuing professional development provider is a \$200 non-refundable fee.

Article 11. Continuing Professional Development

1399.160. Definitions.

As used in this article:

(a) A continuing professional development "course" means a form of systematic learning at least one hour (60 minutes) in length including, but not limited to, academic studies, extension studies, lectures, conferences, seminars, workshops, and self-study courses.

(b) A "self-study course" means a form of systematic learning performed at a licensee's residence, office, or other private location including, but not limited to, viewing of videotapes, and listening to audiotapes, or participating in "self-assessment testing" (open-book tests that are completed by the licensee, submitted to the provider, graded, and returned to the licensee with correct answers and an explanation of why the answer chosen by the provider was the correct answer). A self study course does not mean a course taken at an accredited university towards a degree.

(c) A continuing professional development "provider" means an accredited institution of higher learning, a nonprofit education association, a nonprofit professional association, an individual, or other organization that offers continuing professional development courses and meets the requirements contained in this article.

(d) A "renewal period" means the two-year period that spans from a license's expiration date to the license's next expiration date.

(e) An "operational plan" means a detailed, written description which contains information that explains how the provider intends to conduct business, advertise its courses, provide educational services, and meet the minimum standards established in this article.

(f) "Professional development" shall have the same meaning and effect as the term "continuing education" when interpreting the provisions in this Article.

1399.160.1 License Renewal Requirements.

(a) Except as provided in Section 1399.199.3, a licensee whose license expires in the year 2001, shall certify in writing, when applying for license renewal, by signing a statement under penalty of perjury that during

the preceding renewal period the licensee has completed twelve (12) hours of continuing professional development courses.

(b) Except as provided in Section 1399.199.3, a licensee who holds both a speech-language pathology license and an audiology license that expire in the year 2001, shall certify in writing, when applying for license renewal, by signing a statement under penalty of perjury that during the preceding renewal period the licensee has completed eight (8) hours of continuing professional development courses for each license for a total of sixteen (16) hours.

(c) Except as provided in Section 1399.199.3, a licensee shall certify in writing, when applying for license renewal, by signing a statement under penalty of perjury that during the preceding renewal period the licensee has completed twenty-four (24) hours of continuing professional development courses.

(d) Except as provided in Section 1399.199.3, a licensee who holds both a speech-language pathology license and an audiology license, shall certify in writing, when applying for license renewal, by signing a statement under penalty of perjury that during the preceding renewal period the licensee has completed sixteen (16) hours of continuing professional development courses for each license for a total of thirty-two hours.

(e) A licensee who falsifies or makes a material misrepresentation of fact when applying for license renewal or who cannot verify the completion of the continuing professional development requirement by producing a record of course completion, upon request by the board, is subject to disciplinary action under Section 2533(e) of the Code.

1399.160.2. Exemptions from Continuing Professional Development.

(a) An initial licensee shall complete at least twelve (12) hours of continuing professional development, of which no more than four (4) hours may be earned through self-study courses, prior to his or her first license renewal.

(b) A licensee is exempt from the continuing professional development requirement if his or her license is inactive pursuant to Sections 703 and 704 of the Code.

(c) A licensee may submit a written request for exemption from the continuing professional development requirement for any of the reasons listed below. The board will notify the licensee, within thirty (30) working days after receipt of the request for exemption, whether the exemption was granted. If the request for exemption is denied, the licensee is responsible for completing the full amount of continuing professional development required for license renewal. The board shall grant the exemption if the licensee can provide evidence, satisfactory to the board, that:

(1) For at least one year during the licensee's previous license renewal period the licensee was absent from California due to military service;

(2) For at least one year during the licensee's previous license renewal period the licensee resided in another country; or

(3) During the licensee's previous renewal period, the licensee or an immediate family member, where the licensee has primary responsibility for the care of that family member, was suffering from or suffered a disability. A disability is a physical or mental impairment that substantially limits one or more of the major life activities of an individual. The disability shall be verified by a licensed physician or psychologist with special expertise in the area of disability. Verification of the disability shall include:

(A) the nature and extent of the disability;

(B) an explanation of how the disability hinders the licensee from completing the continuing professional development requirement; and

(C) the name, title, address, telephone number, professional license or certification number, and original signature of the licensed physician or psychologist verifying the disability.

1399.160.3. Continuing Professional Development Requirements.

(a) A licensee, whose license expires in the year 2001, shall accrue at least twelve (12) hours of continuing professional development courses as defined in Section 1399.199.5. A licensee may accrue no more than four (4) hours of continuing professional development courses through self study courses during this renewal period.

(b) A licensee who holds both a speech-language pathology license and an audiology license that expire in the year 2001, shall accrue at least eight (8) hours of continuing professional development courses as defined

in Section 1399.199.5. for each license. A licensee may accrue no more than two (2) hours of continuing professional development courses through self study courses for each license.

(c) A licensee shall accrue at least twenty-four (24) hours during a single renewal period of continuing professional development courses as defined in Section 1399.199.5. A licensee may accrue no more than eight (8) hours of continuing professional development courses through self-study courses during a single renewal period.

(d) A licensee who holds both a speech-language pathology license and an audiology license, shall accrue at least sixteen (16) hours of continuing professional development courses as defined in Section 1399.199.5 for each license. A licensee may accrue no more than five (5) hours of continuing professional development courses through self study courses for each license.

(e) If a licensee teaches a course offered by a provider registered with the board, the licensee may claim credit for the course only one time during a single renewal period, receiving the same amount of hours of continuing professional development credit as a licensee who attended the course.

(f) A licensee may not claim the same course more than once during a single renewal period for hours of continuing professional development.

(g) A licensee who takes a course as a condition of probation resulting from disciplinary action by the board may not apply the course as credit towards the continuing professional development.

1399.160.4. Continuing Professional Development Course Content.

(a) A provider offering courses for licensed speech-language pathologists shall ensure that the content of a course shall be relevant to the practice of speech-language pathology.

(b) A provider offering courses for licensed audiologists shall ensure that the content of a course shall be relevant to the practice of audiology.

(c) The content of a course shall also be related to direct or indirect patient/client care.

(1) Direct patient/client care courses cover specialty areas of practice.

(2) Indirect patient/client care courses cover pragmatic aspects of clinical practice (e.g., legal or ethical issues, consultation, record-keeping, office management, managed care issues, research obligations, supervision training).

(d) A provider shall ensure that a course has specific objectives that are measurable.

(e) Upon completion of a course, a licensee shall evaluate the course through some type of evaluation mechanism.

(f) Courses considered outside the scope of continuing professional development include, but are not limited to, those in the following areas:

(1) money management, the licensee's personal finances or personal business matters;

(2) basic educational or cultural subjects not related to the practice of either speech-language pathology or audiology;

(3) general physical fitness or the licensee's personal health;

(4) presentations by political or public figures or other persons that do not deal primarily with the practice of either speech-language pathology or audiology;

(5) tort liability;

(6) courses addressing the computerized speech-language pathologist's or audiologist's office when the topic involves record management or new technology designed primarily for the licensee's understanding and benefit;

(7) courses designed to make the licensee a better business person or designed to improve the licensee's or his or her staff's motivation;

(8) courses pertaining to the improvement of office operations, licensee and staff convenience, or profit motive;

(9) courses that address increased office production, financial planning, employee benefits, marketing or motivational topics to increase productivity or profitability; and

(10) courses in which the primary beneficiary is the licensee, not the consumer.

1399.160.5. Hours of Continuing Professional Development.

(a) One hour of instruction is equal to one hour of continuing professional development credit.

(b) One academic quarter unit is equal to ten (10) hours of continuing professional development credit.

(c) One academic semester unit is equal to fifteen (15) hours of continuing professional development credit.

1399.160.6. Continuing Professional Development Providers.

A licensee shall only be credited with continuing professional development hours if he or she takes a course from a board-approved provider with a valid, current approval as a provider.

1399.160.7. Board-Approved Providers.

- (a) A continuing professional development provider shall meet the board's course content and instructor qualifications criteria, as provided under this article, to qualify to become a board-approved provider.
- (b) An applicant for continuing professional development provider shall submit a completed Continuing Professional Development Provider Application (form no. 77A-50, new 1/99), hereby incorporated by reference, remit the appropriate fees, submit a complete operational plan, and obtain a continuing professional provider number from the board to become a board-approved provider.
- (c) A provider approval issued under this section shall expire twenty-four months after the approval issue date. To renew an unexpired provider approval, the provider shall, on or before the expiration date of the approval, pay the biennial renewal fee set forth in Section 1399.186 of these regulations.
- (d) A provider approval that is not renewed by the expiration date may not be renewed, restored, reinstated, or reissued thereafter, but the provider may apply for a new approval.
- (e) Board-approved provider status is not transferable.

1399.160.8. Revocation and Denial of Board-Approved Provider Status.

- (a) The board may revoke its approval of a provider or deny a provider application for good cause. Good cause includes, but is not limited to, the following:
 - (1) a provider is convicted of a felony or misdemeanor offense substantially related to the activities of a board-approved provider;
 - (2) a provider, who is a licensee of the board, fails to comply with any provisions of the Speech-Language Pathologists and Audiologists Licensure Act (Business and Professions Code Section 2530 et seq.) or Title 16, Division 13.4 of the California Code of Regulations;(Sections 1399.150 et seq.); or
 - (3) a provider makes a material misrepresentation of fact in information submitted to the board.
 - (4) a provider fails to comply with any provisions of the Speech-Language Pathologists and Audiologists Licensure Act (Business and Professions Code Section 2530 et seq.) or Title 16, Division 13.4 of the California Code of Regulations;(Sections 1399.150 et seq.); applicable to continuing professional development providers.
 - (b) After a thorough case review, should the board decide to revoke or deny its approval of a provider, it shall give the provider written notice setting forth its reasons for revocation or denial. The provider may appeal the revocation or denial in writing, within fifteen (15) days after receipt of the revocation or denial notice, and request a hearing with the board's designee. The revocation is stayed at this point. Should the board's designee decide to uphold the revocation or denial, the provider may appeal the decision of the board's designee in writing, within seven (7) days after receipt of the decision of the board's designee, and request a hearing with a continuing education appeals committee appointed by the board chairperson. The hearing will take place at the next regularly scheduled board meeting, provided the appeal is received before the meeting is noticed to the public. It is at the discretion of the board's designee whether to stay the revocation further.
- The continuing professional development appeals committee shall contain three board members, one public board member and two members representing both license types regulated by the board. The decision of the continuing professional development appeals committee is final.

1399.160.9. Course Advertisement.

A provider shall ensure that information publicizing a continuing professional development course is accurate and includes the following:

- (a) the provider's name;

- (b) the provider's approval number from the board;
- (c) the statement "Course meets the qualifications for () hours of continuing professional development credit for (Speech-Language Pathologists or Audiologists as the case may be) as required by the California Speech-Language Pathology and Audiology Board";
- (d) the provider's policy on refunds in cases of non-attendance by the registrant or cancellation by the provider;
- (e) a clear, concise description of the course content and objectives;
- (f) a statement describing the level of the course content; and
- (g) a personal disclosure statement if either the instructor or provider has a personal financial interest in the course content.

1399.160.10. Course Instructor Qualifications.

A provider shall ensure that an instructor teaching a course has at least two of the following minimum qualifications:

- (a) a license, registration, or certificate in an area related to the subject matter of the course. The license, registration, or certificate shall be current, valid, and free from restrictions due to disciplinary action by this board or any other health care regulatory agency;
- (b) a valid, current certification in the subject area issued by the American Speech-Language-Hearing Association;
- (c) training, certification, or experience in teaching courses in the subject matter; or
- (d) at least two years' experience in an area related to the subject matter of the course.

1399.160.11. Records of Course Completion.

Upon completion of a course, a provider shall issue a record of course completion to a licensee (e.g., letters of verification of attendance, certificates, gradeslips, transcripts) containing the following information:

- (a) name of licensee and licensee's license number;
- (b) course title;
- (c) provider name and address;
- (d) provider approval number;
- (e) date of course;
- (f) number of hours of continuing professional development credit; and
- (g) signature of course instructor, provider, or provider designee.

1399.160.12. Licensee and Provider Course Records.

- (a) A licensee shall maintain records of course completion for a period of at least two (2) years from the date of license renewal for which the course was completed.
- (b) A provider shall maintain records related to continuing professional development courses for a period of at least four (4) years. Records shall include:
 - (1) syllabi for all courses;
 - (2) the time and location of all courses;
 - (3) course advertisements;
 - (4) course instructors' vitae or resumes;
 - (5) attendance rosters with the names and license numbers of licensees who attended the courses;
 - (6) sign-in sheets; and
 - (7) records of course completion issued to licensees who attended the courses.
- (c) The board may audit the course records of a licensee or a provider to ensure compliance with the board's continuing professional development requirements.

1399.160.13. Continuing Professional Development for Out-of-State Applicants.

Applicants for initial licensure who are licensed in another state and apply for licensure in this state are not required to complete any California continuing professional development hours until their first renewal.